IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 834 OF 2005

IN

SUIT NO. 1165 OF 1979

NRC Limited .. Plaintiff

versus

The New India Assurance Co.Ltd & ors.. Defendants

...

Mr.S.J. Shah i/b D.H. Petit & Co. for the plaintiff.

Mr.D.D. Madon i/b Mulla & Mulla for the defendants.

CORAM : D.G. KARNIK,J.

DATED : 7th July 2005.

P.C.:

1. Heard learned counsel for the parties.

2. Chamber Summons is taken out in asuit which is posted for recording of evidence. Learned Counsel for the parties state that in view of the provisions of Rule 156 of the High Court (Original Side) Rules, Chamber Summons is required to be hjeard by me and

not by the Chamber Judge and rely upon a decision of a learned Single Judge of this Court in The Godavari Sugar Mills Ltd. Vs. The Kopargaon Sahakari Sakhar Karkhana Ltd decided on 11th February 2000 (Coram:A.B. Palkar, J) Submission is accepted.

3. By consent of the parties, Chamber Summons is taken up for hearing forthwith. By consent of the parties, issues are amended and recast as per the Schedule A to the Chamber Summons and Chamber Summons is allowed in terms of prayer clause (a) except issue no.14. Issues are amended as per Schedule A except issue no.14 which is deleted.

D.G. KARNIK, J